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Phone 860-408-5000 Fax 860-408-5080

### Fax Cover Sheet

<b>To:</b> Centralized Delivery	<b>From:</b> Helen Samson
<b>Fax:</b> 571 273 8300	<b>Pages:</b> 5, including this cover sheet
<b>Phone:</b>	<b>Date:</b> March 13, 2006
<b>Re:</b> 10/680,396	<b>CC:</b>

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Carter et al.	Attorney Docket No.:	6548-23-1U
Serial No.:	10/680,396	Confirmation No.:	5974
Filed:	10/07/2003	Art Unit:	1731
Customer No.:	000038731	Examiner:	John M. Hoffmann
Title:	DOUBLE-CLAD OPTICAL FIBER FOR LASERS AND AMPLIFIERS		

#### VIA FACSIMILE TO (571) 273 8300

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that the accompanying Response (4 pages), is being sent via Facsimile Transmission to Centralized Delivery, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, at Facsimile Number 571 273 8300 on the date indicated above.

Helen Samson  
Nufern  
7 Airport Park Road  
East Granby, CT 06026  
860-408-5021 (phone)  
860-408-5080 (fax)

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## CERTIFICATE OF FACSIMILE TRANSMISSION

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MARCH 13, 2006

Date

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Serial No.:	10/680,396	Confirmation No.:	5974
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For: **DOUBLE-CLAD OPTICAL FIBER FOR LASERS AND AMPLIFIERS**

**VIA FACSIMILE TO (571) 273 8300**

Centralized Delivery  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 13, 2006

RESPONSE

Dear Sir:

This is a Response to the Office Action mailed 10/12/05 in the above-identified application, the time for response to which is extended to 03/13/06 (03/12/06 falling on a Sunday) by the Request for Four-Month Extension of Time included below in this Response.

### Election of Species

The Examiner considers that claims 1, 3, 5, 7, 9 and 11 of the above identified application are generic to a plurality of patentably distinct species and contends that the species can be designated and grouped as indicated below.

#### A Grouping

- A1 - wherein the truncated region is a void.
- A2 - wherein the truncated region is a gas.
- A3 - wherein the truncated region is a metal.
- A4 - wherein the truncated region is a glass.
- A5 - wherein the truncated region is a non-glass ceramic.
- A6 - wherein the truncated region is a plastic.

#### B Grouping

B1 - wherein the layer/portion/section that contains the truncated section is made by MCVD or another inside deposition method.

B2 - wherein the layer/portion/section that contains the truncated region is made by an OVD process.

B3 - wherein the layer/portion/section that contains the truncated region is made by a non-OVD outside deposition process. In other words, an outside deposition process which does not use a precursor gas which is converted into glass or other optical material.

#### C Grouping

C1 - wherein the truncated regions are created by phase separation.

C2 - wherein the truncated regions are created by solution doping.

C3 - wherein the truncated regions are created by co-depositing pre-existing particles with non-pre-existing glass particles (or whatever material forms the bulk of the preform). [Figure 6 shows this invention]

C4 - wherein the truncated regions are created by co-depositing pre-existing particles with pre-existing glass particles (or whatever material forms the bulk of the preform).

C5 - wherein the truncated regions are created by co-depositing non-pre-existing particles (for example by reacting gases to form particles) with glass non-pre-existing glass particles (or whatever material forms the bulk of the preform).

C6 - wherein the truncated regions are created by co-depositing non-pre-existing particles with glass pre-existing glass particles (or whatever material forms the bulk of the preform).

Regarding Group A, Applicants respectfully submit that A2 is not exclusive with A1 and should not be a separate species. A void can comprise a gas. See the last sentence of paragraph 12, in the Summary section of the application. Regarding Group C, Applicants respectfully submit that C1 and C2 are not mutually exclusive. For example, a truncated region can be formed at least in part by solution doping a frit with a material that becomes phase separated. See paragraph 54 of the specification.

Applicants elect species A1, B1 and C2, with traverse, as it is not clear that it would be unduly burdensome for the USPTO to examine all the claims in one case.

Applicants consider that claims 1-6 and 9-11 are examinable consonant with the required election made by Applicants. The foregoing claims are the most clearly not exclusive of the elected species. Applicants note that the unelected claims are in at least one sense not exclusive of the elected species, in that the "distributing of particles .." recited therein could be used to form truncated regions in the same fiber having truncated regions formed at least in part by the elected species C2 (solution doping). Applicants have proposed examination of claims 1-6 and 9-11 to advance prosecution of the case.

Applicants do not raise issues unnecessary at this time to advance in good faith prosecution of the present application. However, Applicants refraining from so doing should not be interpreted at a later time as any statement (e.g., an admission) regarding the propriety of positions expressly or impliedly set forth in the Office Action.

Request for Four-Month Extension of Time

Applicants hereby request a four-month extension of time to reply to the Office Action mailed 10/12/05 in the above identified application. As the outstanding Office Action provided for a one month shortened statutory time period for reply, the time for reply is now extended to 03/13/06 (03/12/06 falling on a Sunday) by this Request for Four-Month Extension of Time. Authorization is hereby granted to charge the Small Entity fee of \$795 for the requested four month extension of time to Nufern Deposit Order Account Number 502343.

Conclusion

This Response attends to all matters raised in the outstanding Office Action. Authorization is granted to credit any overpayment, or to charge any underpayment, associated with this Response to Nufern Deposit Order Account 502343. Please contact the undersigned regarding any questions regarding the election of species.

Respectfully submitted,



Peter J. Rainville, Reg. No. 41,263  
Nufern  
7 Airport Park Road  
East Granby, CT 06026  
860-408-5022  
[prainville@nufern.com](mailto:prainville@nufern.com)

Date: March 13, 2006